

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UMG RECORDINGS, INC., et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 1:17-cv-00365-DAE-AWA
	)	
GRANDE COMMUNICATIONS	)	
NETWORKS LLC,	)	
	)	
Defendant.	)	

**PLAINTIFFS' OBJECTIONS TO  
DEFENDANT GRANDE COMMUNICATIONS NETWORKS LLC'S  
TRIAL EXHIBIT LIST**

Plaintiffs submit the following Objections to Defendant Grande Communications Networks, LLC's Trial Exhibit List pursuant to the Court's Order Resetting Jury Trial and Related Deadlines (ECF No. 366). Pursuant to that Order, Plaintiffs reserve their Federal Rules of Evidence 402 and 403 objections to Defendant's exhibits until trial. Plaintiffs further reserve the right to amend these objections, and to interpose additional objections, based on evidence or arguments that Grande presents or attempts to present at trial.

Def.'s Trial Ex.	Description	Bates Number	Dep. Ex. (in absence of bates label)	Expects to Offer	May Offer	Plaintiffs' Objections
1	Grande Internet Acceptable Use Policy		PX103		X	
2	Email string from G. Boswell to R. Wachunas. Subject: RE: Dmca emails.	RIGHTSCORP 00005698– RIGHTSCORP 00005701			X	Hearsay, Subject to Court's Order (ECF 191)
3	Email string from G. Boswell to R. Wachunas. Subject: RE: Dmca emails.	RIGHTSCORP 00005708– RIGHTSCORP 00005711			X	Hearsay, Subject to Court's Order (ECF 191)

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4	Email from info@rightscorp.com to legaldepartment@rightscorp.com. Subject: Rightscorp, Inc. - Contact Inquiry.	RIGHTSCORP 00005786– RIGHTSCORP 00005786			X	Hearsay, Subject to Court's Order (ECF 191)
5	Email string from R. Steele to T. Fisher. Subject: FW: [AB-C194663V] Unauthorized Use of Copyrights RE: TC-624ee538-0a0e-42429d9d-815549b827b7.	RIGHTSCORP 00006320– RIGHTSCORP 00006323			X	Hearsay,
6	Email from DMCA@DigitalRightsCorp.com to abuse@mygrande.com. Subject: Unauthorized Use of Copyrights RE: TC-1c936d2d-f426-4c20-b32b-8c9022a21830		Boswell 8/2018 Ex. 5		X	
7	Email from DMCA@DigitalRightsCorp.com to abuse@mygrande.com. Subject: Unauthorized Use of Copyrights RE: TC-1bb2382f-c908-4c16-ae24-1fd950181ac7		Boswell 8/2018 Ex. 6		X	
8	Email from DMCA@DigitalRightsCorp.com to abuse@mygrande.com. Subject: Unauthorized Use of Copyrights RE: TC-0z7c08a8-36db-4ca5-84b9-c823e1524caf		Boswell 8/2018 Ex. 7		X	

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9	Email string from coxresponse@DigitalRights Corp.com to abuse@cox.net. Subject: Unauthorized Use of Copyrights Re: TC-3dc7c8c8-f7bd-4dfd-b4f6-4b00cdf49ca		Boswell 8/2018 Ex. 8		X	Hearsay, Authenticity,
10	Email from R. Steele to G. Boswell. Subject: Any John Denver tracks need to be immediately removed	BMG_GRANDE 00000183– BMG_GRANDE 00000183		X		Hearsay, Lack of Foundation
11	Excerpts of Greg Boswell 30(b)(6) Deposition taken July 3, 2015 in BMG et al. v. Cox Enterprises, Inc. et al.	BMG_GRANDE 00000001			X	Hearsay
12	Excerpts of BMG Rights Management (US) LLC, et al. v. Cox Enterprises, Inc. et al. trial transcript		Boswell 6/2019 Ex. 3		X	Hearsay
13	Email from DMCA@DigitalRightsCorp.com to legal@grandecom.com. Subject: Unauthorized Use of Copyrights RE: TC-d8901c92-f741-4eb2-9011-f15bcf522cf8		Boswell 6/2019 Ex. 4			
14	Digital Rights Proposal Response to Request for Proposal/Request for Quote for Scanning, Evidence Management and Related Support for Corporate Infringement Program. V0.1 September 28, 2011. Proposal Date: October 12, 2011	RIAA_00059923– RIAA_00059955		X		Hearsay

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15	Correspondence from Digital Rights to RIAA and MPAA, subject Copyright Alert System Monitoring - Response to Request for Proposal. Request for Proposal/Request for Quote for Peer to Peer Scanning, Evidence Management and Generation of Copyright Infringement Reports for the United States dated August 12, 2011.	RIAA_00060082– RIAA_00060139		X		Hearsay
16	UMG Repeat Infringer Notice and Monitoring Project Proposal	RIAA_00059957– RIAA_00059970				
17	DRC RIAA Technology Review	RIAA_00060010– RIAA_00060060				Authenticity
18	Joined Infractions Grande P2P Sample a/k/a 2019.02.19 Grande Samples Data.xlsx		Boswell 6/2019 Ex. 9		X	
19	Rightscorp Source Code Production			X		
20	Outputs from Rightscorp Revision Control System	RC-D004		X		
21	Email string from D. Benjamin to C. Sabec. Subject: Re: DigitalRights	UMG_00012651– UMG_00012653			X	Hearsay
22	Email string from D. Benjamin to D. Kokakis. Subject: Re: Digital Rights (torrent sites / ISPs)	UMG_00012713– UMG_00012716			X	Hearsay, Lack of Foundation and Authenticity (re embedded Music Week article)
23	Email string from D. Benjamin to M. Rothman. Subject: Re: DigitalRights	UMG_00012636– UMG_00012636			X	Hearsay
24	UMG Repeat Infringer Notice and Monitoring Project Proposal	UMG_00012637– UMG_00012650			X	

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25	Email string from D. Kokakis to M. Sammis	UMG_00007020– UMG_00007021			X	Hearsay
26	Email string from D. Benjamin to A. Kautz	UMG_00006957			X	Hearsay
27	Invoices to Grande from CSG Systems, Inc.		Cruse Ex. 2		X	
28	Invoices to Grande from CSG Systems, Inc.		Cruse Ex. 3		X	
29	Email string from M. Pinto to J. Cruse. Subject: FW: Letter ids.		Cruse Ex. 8		X	Hearsay
30	Declaration of Gregory Boswell 1.17.19 (ECF No. 173-79)				X	
31	Email string from C. Hangey to B. Beck. Subject: Re: Re: Fraudulent Notices being Received by Cox Customers	COX0008– COX0016			X	Authenticity, Hearsay, Subject to Court's Order (ECF 191)
32	Email string from B. Beck to S. Boggs, K. Weathersby, L. Trickey, B. Cox, J. Spalding. Subject: Re Re FW new variant, from copyright@arpanet-ip.com - Re [Fwd Re Fraudulent Notices being Received by Cox Customers]	COX0067– COX0073			X	Authenticity, Subject to Court's Order (ECF 191)
33	Email from B. Cox to K. Keever. Subject: Privileged & Confidential Attorney-Client Communications - Draft Alert to Executive Team	COX0181			X	Hearsay, Authenticity, Subject to Court's Order (ECF 191)
34	Email string from L. Trickey to S. Tanke, B. Beck, B. Cox. Subject: Re; Re: ip-echelon report fraudulent website links.	COX0047– COX0049			X	Hearsay, Authenticity, Subject to Court's Order (ECF 191)

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35	Email string from L. Trickey to B. Cox. Subject: Re Re Inquiry: DMCA Phishing Scam	COX0110–COX0111			X	Hearsay, Authenticity, Subject to Court's Order (ECF 191)
36	Email string from K. Weathersby to S. Boggs, B. Cox, M. Morris, L. Trickey, S. Allen-Wang. Subject: Re Re Inquiry DMCA Phishing Scam	COX0137–COX0140			X	Hearsay, Authenticity, Subject to Court's Order (ECF 191)
37	Email string from B. Cox to T. Williams. Subject: Re Re Inquiry: DMCA Phishing Scam - Privileged & Confidential Attorney-Client Communication	COX0457–COX0463			X	Hearsay, Authenticity, Subject to Court's Order (ECF 191)
38	Email string from B. Beck to L. Trickey, B. Cox, M. Morris, J. Spalding, T. Williams, K. Weathersby, S. Boggs, S. Allen-Wang, J. Slick, S. Tanke. Subject: Re Re Inquiry DMCA Phishing Scam	COX0337–COX0345			X	Hearsay, Authenticity, Subject to Court's Order (ECF 191)
39	Email from B. Beck to L. Trickey. Subject: Privileged Confidential - most recent IP-Echelon issues	COX0582–COX0583			X	Hearsay, Authenticity, Lack of Foundation, Subject to Court's Order (ECF 191)
40	Email string from Cox Customer Safety to help@ip-echelon.com. Subject: Re Re [6.28.2016 32407747] Notice of Claimed Infringement from 98.182.54.15 at 2016-06-27T00: 54:54Z - Ref. 507669320	COX0001–COX0007			X	Hearsay, Authenticity, Lack of Foundation, Subject to Court's Order (ECF 191)

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41	Email from T. Williams to HRD-.TOC, R. Schubert, M. Fedorko, W. Woodward, K. Brown, N. Pulley, CCI - Abuse Las Vegas, F. Kayoka, A. Roy, S. SVS, P. Kumar, S. Ali, N. Satti, M. Patnayakuni, Y. Kasarabada, S. Onteddu, R. Appam. Subject: Identification information for Fraudulent DMCA complaints	COX0477– COX0478			X	Hearsay, Authenticity, Subject to Court's Order (ECF 191)
42	Email from B. Beck to S. Boggs, K. Weathersby, L. Trickey, B. Cox, J. Spalding. Subject: 4th recent variant, from copyright@dmca.report - Re: [Fwd: Re: Fraudulent Notices being Received by Cox Customers]	COX0050– COX0053			X	Hearsay, Authenticity, Subject to Court's Order (ECF 191)
43	Warner Songs Spreadsheet		Flott Ex. 2		X	
44	Email from H. Singer to H. Singer. Subject: Rightscorp's terrifying extortion script is breathtaking in its sleaze	WBR_00003457		X		Hearsay, Authenticity
45	Email from D. Jang to M. Johnson. Subject: RE: Rightscorp	SME_00003165		X		Hearsay
46	Email string from M. Piibe to J. Finley. Subject: Re: Copyright - Rightscorp	SME_00003177– SME_00003183		X		Hearsay
47	Email string from J. Mason to D. Jang. Subject: Re MUSO	SME_00002868– SME_00002870			X	Hearsay
48	Sony Songs Spreadsheet		Leak Ex. 3		X	
49	Sample Rightscorp Notices		Leak Ex. 6		X	
50	Email from D. Kokakis to D. Benjamin. Subject: Digital Rights (torrent sites / ISPs)	UMG_00012695– UMG_00012697			X	Hearsay, Lack of Foundation

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51	Email from D. Benjamin to B. Buckles. Subject: Canadian Govt. Outlaws Bogus Piracy Notices	UMG_00003701– UMG_00003702			X	Hearsay, Authenticity and Lack of Foundation (re embedded article)
52	Letter from R. Steele of RightsCorp to J. Holanda, J. Kramp, P. Murphy of Grande Communications	GRANDE1435465– GRANDE1435470			X	Hearsay, Authenticity, Lack of Foundation,
53	Presentation: DigitalRights - Monetization of Copyrighted Intellectual Property, January 2013		Sabec Ex. 4		X	Hearsay
54	DigitalRights Notice and Settlement Program for Universal Music Publishing Legal Positions, March 2012	UMG_00012753– UMG_00012774			X	Hearsay
55	Presentation: DigitalRights - New Anti-Piracy Technologies and Business Models for Sony Pictures		Sabec Ex. 6		X	Hearsay
56	"Rightscorp finished Sept 2017 with \$3,147 in the bank, warns investors it will likely have to shut down without more cash"; BoingBoing.net, 2017/11/26/circling-the-drain.html		Sabec Ex. 7		X	Hearsay, Authenticity
57	"Rightscorp's terrifying extortion script is breathtaking in its sleaze"; BoingBoing.net		Sabec Ex. 8		X	Hearsay, Authenticity, Foundation
58	Script / Flow Chart	BMG-GRANDE 000000968– BMG-GRANDE 000000972	Sabec Ex. 9		X	



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59	Rightscorp Call Center Script, 10-23-14, Rev. G. 3	RIGHTSCORP 00005717– RIGHTSCORP 00005746			X	
60	Rightscorp Oct. 2016 thru March 2018. Spreadsheet of debit amounts	RIAA_00059813– RIAA_00059813			X	
61	Email from C. Sabec to S. Marks. Subject: Rightscorp's Solution for the RIAA	RIAA_00059874– RIAA_00059874			X	Hearsay
62	Letter from C. Sabec of Rightscorp to S. Marks of Recording Industry Association of America	RIAA_00059875– RIAA_00059876			X	Hearsay
63	Email from C. Sabec to S. Marks. Subject: Re: Rightscorp's Solution for the RIAA	RIAA_00059827– RIAA_00059827			X	Hearsay
64	Rightscorp presentation. Protecting the Arts. Restoring Growth. Rightscorp's Solution for the RIAA - Overview	RIAA_00059828– RIAA_00059839			X	
65	Rightscorp presentation. Protecting the Arts. Restoring Growth. Rightscorp's Solution for the RIAA - Technical Briefing	RIAA_00059841– RIAA_00059872			X	
66	Litigation Support and Consulting Agreement between Recording Industry Association of America and Rightscorp, Inc.	RIAA_00059818– RIAA_00059826			X	

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67	Master Agreement between DtecNet Inc. and Recording Industry Association of America Inc., effective December 20, 2011. Statement of Work No. 2 between MarkMonitor and Recording Industry Association of America, Inc. dated March 30, 2015, with attachments	MM000001– MM000031			X	Subject to Court Order (ECF 191)
68	Statement of Work between MarkMonitor Inc. and the Recording Industry Association of America, executed March 22, 2013, with attachments	MM000032– MM000065			X	Subject to Court Order (ECF 191)
69	Email string from H. Singer to V. Sheckler, C. Horton, D. Jang. Subject: Re: follow-up	WBR_00003394– WBR_00003399			X	Hearsay
70	“A Farewell to Kings” by Rush	UMG_00000601 - UMG_00000602			X	
71	“Angel” by Aerosmith	UMG_00000035 - UMG_00000036			X	
72	“House of Balloons / Glass Table Girls” by the Weeknd	UMG_00000744			X	
73	Associated with registration number PA0001678112	SME_00000003 - SME_00000004			X	
74	Evidence of Merger between Zomba Recording LLC and Zomba Recording Corporation	SME00001755			X	Subject of Mot. in Limine Ruling
75	Mariah Carey Songs	UMG_00005437 - UMG_00005438			X	Subject of Mot. in Limine Ruling
76	Unique secondary IDS - 2bb622bb-9b8f-44cc-a66c-8e12e8c39b9e and bff38a49-e2bd-40e6-ab7e-0958464ab721	RC-D_01383209 - RC-D_01383210			X	

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77	Grande Residential Subscriber Data	GRANDE2551606			X	
78	Grande Residential Customer Acquisition Expense Analysis report (2017-2018)	GRANDE2551619-GRANDE2551667			X	
79	IRU Agreement between Grande Communications Networks, LLC and NextEra FiberNet, LLC dated February 28, 2011	GRANDE2551668-GRANDE2551738			X	
80	Grande Employee Compensation Report	GRANDE2551739			X	
81	RCN CapEx 2018 Forecast financial report	GRANDE2551740-GRANDE2551744			X	
82	Grande and FPL Fibernet (Crown Castle) Capacity IRU details	GRANDE2551745			X	
83	Texas IRU and Purchase Option Agreement between Grande Communications Networks, LLC and NextEra FiberNet, LLC dated February 28, 2011	GRANDE2551746-GRANDE2551789			X	
84	Copyright registration for "Aquemini," SR 264-091	SME_00000074-SME_00000075			X	
85	Copyright registration for "Paul's Boutique," SR 154-347	UMG_00000080-UMG_00000081			X	
86	October 11, 2011 Email string from R. Steele to J. Pariser, cc: C. Sabec. Subject: RE: RFP attached.	RIAA_00059922			X	Hearsay
87	November 16, 2011 Email from C. Sabec to D. Benjamin, cc: C. Castle, R. Steele, D. Hughes. Subject: Re: DigitalRights.	RIAA_00059956			X	Hearsay

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88	November 16, 2011 email string from C. Sabec to D. Benjamin, cc: C. Castle, R. Steele, D. Hughes. Subject: Re: DigitalRights	RIAA_00059971-RIAA_00059973			X	Hearsay
89	November 16, 2011 Email from C. Sabec to D. Hughes, cc: R. Steele. Subject: Draft Proposal for UMG.	RIAA_00059974			X	Hearsay
90	UMG Repeat Infringer Notice and Monitoring Project Proposal Rev. 3 (Attachment to RIAA_00059974)	RIAA_00059975-RIAA_00059988			X	
91	Contact information for Christopher Sabec	RIAA_00059989			X	
92	September 26, 2011 email from R. Steele to D. Hughes. Subject: Non-CAS Pilot Program.	RIAA_00059990			X	Hearsay
93	DigitalRights Settlement Model Pilot Project Proposal	RIAA_00059991-RIAA_00059996			X	
94	DRC ISP Pilot List (3).xlsx	RIAA_00059997			X	
95	September 21, 2011 Email from R. Steele to D. Hughes, cc: C. Sabec, C. Harmon. Subject: Revised Document	RIAA_00059998			X	
96	Digital Rights and RIAA Test Scope of Work (Attachment to RIAA_00059998)	RIAA_00059999-RIAA_00060000			X	
97	September 20, 2011 from R. Steele to D. Hughes, cc: C. Sabec. Subject: RIAA Test Scope.	RIAA_00060001			X	Hearsay
98	RIAA Test Scope of Work	RIAA_00060002-RIAA_00060005			X	

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99	July 21, 2011 email from R. Steele to D. Hughes. Subject: initial draft.	RIAA_00060006			X	Hearsay
100	DigitalRights (DRC) Capabilities Summary draft.	RIAA_00060007- RIAA_00060008			X	
101	July 20, 2011 email from R. Steele to D. Hughes, cc: S. Marks, C. Harmon. Subject: DRC Tech Briefing.	RIAA_00060009			X	Hearsay
102	Copyrights Spreadsheet	RIAA_00060062			X	
103	July 21, 2011 Email from C. Harmon to S. Marks, cc: C. Sabec, R. Steele. Subject: RE: NDA.	RIAA_00060063			X	Hearsay
104	July 19, 2011 letter of agreement sent to Recording Industry Association of America from DigitalRights regarding DigitalRights/Settlement of Infringement Claims Against Corporations. (Unexecuted)	RIAA_00060065- RIAA_00060071			X	Hearsay
105	June 27, 2011 email string from C. Sabec to C. Harmon, cc: S. Marks, R. Steele. Subject: Re: Digital Rights Corp – RIAA Meeting.	RIAA_00060072- RIAA_00060076			X	Hearsay
106	Mutual Confidentiality and Non-Disclosure Agreement between Rightscorp, Inc. and RIAA dated June 27, 2011.	RIAA_00060077- RIAA_00060080			X	

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107	August 26, 2011 Email from C. Sabec to M. Grant, V. Sheckler, cc: R. Steele. Subject: Re: CONFIDENTIAL: RFP/RFQ for a Program in the US (DigitalRights Reponse)	RIAA_00060081			X	Hearsay
108	July 20, 2011 Email from R. Steele to D. Hughes, cc: S. Marks, C. Harmon. Subject: DRC Tech Briefing Full	RIAA_00060141			X	Hearsay
109	DRC-RIAA Technology Review presentation.	RIAA_00060142- RIAA_00060195			X	
110	Copyrights Spreadsheet	RIAA_00060196			X	
111	Letters Spreadsheet	GRANDE2542672			X	
112	CSG Ticket Spreadsheet	GRANDE0000199			X	
113	CSG Ticket Spreadsheet	GRANDE0000200			X	
114	CSG Letter Templates	GRANDE1438545- GRANDE1438548			X	
115	Sony Plaintiffs' Responses to First Interrogatories 11.3.2017				X	
116	Sony Plaintiffs' Responses to Second Interrogatories 4.12.2018				X	
117	Sony Plaintiffs' Responses to Third Interrogatories 6.6.2018				X	
118	Sony Plaintiffs' Responses to First Requests for Admissions 6.6.2018				X	
119	Universal Plaintiffs' Responses to First Interrogatories 11.3.2017				X	
120	Universal Plaintiffs' Responses to Second Interrogatories 4.12.2018				X	
121	Universal Plaintiffs' Responses to Third Interrogatories 6.6.2018				X	

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122	Universal Plaintiffs' Responses to First Requests for Admissions 6.6.2018				X	
123	Warner Plaintiffs' Responses to First Interrogatories 11.3.2017				X	
124	Warner Plaintiffs' Responses to Second Interrogatories 4.12.2018				X	
125	Warner Plaintiffs' Responses to Third Interrogatories 6.6.2018				X	
126	Warner Plaintiffs' Responses to First Requests for Admissions 6.6.2018				X	
127	Cohen Expert Report Exhibit 3			X		Hearsay, Authenticity
128	Boswell Cox Deposition Transcript				X	Hearsay
129	<a href="http://www.bittorrent.org/beps/bep_0003.html">http://www.bittorrent.org/beps/bep_0003.html</a>				X	Hearsay, Authenticity
130	<a href="https://wiki.theory.org/index.php/BitTorrentSpecification">https://wiki.theory.org/index.php/BitTorrentSpecification</a>				X	Hearsay, Authenticity
131	Song Files Downloaded by Dr. Cohen as referenced in his Supplemental Report at Para. 118				X	Authenticity, Lack of Foundation, Not Produced in Discovery
132	Kemmerer Exhibit JEK-1				X	Hearsay
133	Kemmerer Exhibit JEK-2				X	Hearsay
134	Kemmerer Exhibit JEK-3				X	Hearsay
135	Kemmerer Exhibit JEK-4				X	Hearsay
136	Kemmerer Exhibit JEK-5				X	Hearsay

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137	Kemmerer Exhibit JEK-6				X	Hearsay, Authenticity, Lack of Foundation
138	Kemmerer Exhibit JEK-7				X	Hearsay, Authenticity, Lack of Foundation
139	Kemmerer Exhibit JEK-8				X	Authenticity, Lack of Foundation
140	Kemmerer Exhibit JEK-9				X	Hearsay, Lack of Foundation
141	Kemmerer Exhibit JEK-10				X	Hearsay, Lack of Foundation
142	Kemmerer Exhibit JEK-11				X	Hearsay, Authenticity, Lack of Foundation
143	Kemmerer Exhibit JEK-12				X	Hearsay
144	Kemmerer Exhibit JEK-13				X	Hearsay, Authenticity, Lack of Foundation
145	Kemmerer Exhibit JEK-14-SUPP				X	Hearsay, Lack of Foundation
146	Kemmerer Exhibit JEK-15-SUPP				X	Hearsay, Lack of Foundation
147	Kemmerer Exhibit JEK-16-SUPP				X	Hearsay, Lack of Foundation



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148	Kemmerer Exhibit JEK-16A-SUPP				X	Hearsay, Lack of Foundation
149	Kemmerer Exhibit JEK-16B-SUPP				X	Hearsay, Lack of Foundation
150	Kemmerer Exhibit JEK-17-SUPP				X	Hearsay, Lack of Foundation
151	Kemmerer Exhibit JEK-18-SUPP				X	Hearsay, Lack of Foundation
152	Kemmerer Exhibit JEK-18A-SUPP				X	Hearsay, Lack of Foundation
153	Kemmerer Exhibit JEK-18B-SUPP				X	Hearsay, Lack of Foundation
154	Kemmerer Exhibit JEK-19-SUPP				X	Hearsay, Lack of Foundation
155	Email string from H. Singer to W. Rosso. Subject: RE	WBR_00002469-WBR_00002470			X	Hearsay, Lack of Foundation

Dated: December 30, 2021

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on December 30, 2021, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(b)(1).

/s/ Daniel C. Bitting  
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